

20376
STATE OF OHIO, LAWRENCE COUNTY
Presented for record at 10:15 AM
Recorded Dec 12 1984

DEC 11 - 1984

VOL 010 PAGE 639

MEMORANDUM NOTICE OF EXECUTION OF TRUST AGREEMENT
RAY T. DUTY
RECORDED, LAWRENCE COUNTY, OHIO
ID#

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned B.F. Houck and Betty J. Houck, grantors and
Brenda C. Shively and William L. Comer

have executed a Declaration of Trust under the name of the Ben Houck Estates
, dated the 10 day of December, 1984.

That said Trust Agreement contains terms and conditions all of which are made a
part hereof as fully and completely as if herein specifically set out in full, and,
whereas said Trust Agreement explicitly provides that:

1. "No Trustee specifically named herein, or any Successor Trustee, shall be required to give any bond or other security. The Trustees, including Successor Trustees, serving hereunder shall not be personally liable to any person or entity upon any contract or indebtedness of or claims against said trust estate or upon a mortgage, trust deed, note or other instrument executed under the provisions hereof, nor shall said Trustees be liable for any mistake or error of judgment or for losses incurred by reason of speculative or hazardous investment of trust funds in the administration of the trust herein created, except for fraud or willful misconduct, so long as they continue to exercise their duties and powers in a fiduciary capacity primarily in the interests of the beneficiaries hereunder. No Trustee shall be individually or personally answerable or liable for any act, neglect, error, or default of any other Trustee."
2. "No person, corporation, or entity purchasing, renting, or leasing any of the property of the trusts, or in any manner dealing with the trusts or with the Trustees, shall be required to inquire into the authority, expediency, propriety, validity, or necessity of the Trustees to make any sale, transfer, pledge, assignment, or other transfer or disposal of or transaction, or to account for the application or disposition of any purchase or mortgage money or other property transferred to the Trustees on any account, nor shall they be in any way responsible for the proper use or application of such funds or properties transferred by them to the Trustee under the terms of this Trust."
3. "No beneficiary shall be entitled to any distributions (either of income or corpus) as a matter of right." "Death, insolvency or bankruptcy of any certificate holder, or the transfer of his certificate by gift, devise or descent, shall not operate as a dissolution of this Trust, or in any manner affect the Trust or its operation. Ownership of a beneficial certificate shall not entitle the holder to any legal title in or to the Trust property, nor any undivided interest therein, nor in the management thereof; nor shall the death of a holder entitle his heirs or legal representative to demand any partition or division of the property of the Trust, nor any special accounting..."

PREPARED BY: B.F. Houck
1739 Kevin Street
Ironton, Ohio 45638

See original of trustee's resignation
See appointment of trustee Mar 10 P. 695
See of trustee's resignation Mar 10 P. 655.

VOL 010 PAGE 640

4. The Trustees shall be permitted "to exercise all such rights, privileges and powers, to do all such acts, and to enter into all such agreements, generally, with respect to any and all property held hereunder, as in the Trustee's best judgment are needful or desirable for the proper and advantageous control and management of the Trust property for the benefit of the trust estate, all without applying to any court for permission so to do, to the same extent and with the same effect as might legally be done by an individual in absolute ownership and control of said property." The Trustees shall be vested with the "specific power:" "to borrow money and execute promissory notes therefore for any purpose of the trust estate, or incidental to the administration thereof, from any institution or person, to extend or renew any existing indebtedness, and to secure the repayment thereof by mortgaging, hypothecating, creating a security interest in, or pledging or otherwise encumbering any part or all of the property, whether real or personal, of the trust estate. With respect to the purchase of any property, as part of the consideration given therefor, to execute any contract, including installment contracts or credit arrangements, the effect of which is to borrow money; to assume a liability of the transferor or to acquire such property subject to a liability; and accumulate income for the purpose of repaying any indebtedness incurred by the trust estate." "To sell at public or private sale, to grant options to sell, to barter, lend, alter, pledge, mortgage, partition, lease, transfer, rent, convey, exchange, re-exchange or otherwise dispose of all or part of the property, whether real or personal, at any time belonging to the trust estate, for cash or other consideration or on credit, and upon such terms and conditions as said Trustee shall determine, and to execute, acknowledge and deliver good and sufficient deeds of conveyance therefor (with or without warranty), and all assignments, transfers, leases, mortgages, contracts, receipts, releases, or other legal instruments necessary in connection therewith." "To make, acknowledge, execute, record, and deliver any and all deeds, bills of sale, assignments, transfers, receipts, leases, mortgages, conveyances, contracts, waivers, releases, proxies, powers of attorney, or other instruments necessary, convenient, or proper for the accomplishment of the powers herein conferred upon the Trustee, and to do all other acts which, in the Trustee's judgment, may be necessary or appropriate for the proper and advantageous management, investment, and distribution of the trust estate."

Notice is hereby served that, as of this date, the current Trustees of said Trust are Brenda C. Shively, William L. Comer, Brent Houck and Buford F. Houck.

IN WITNESS WHEREOF the Grantor and Trustees have hereunto set their hands and seals

this 11 day of December, 1984

Jan Hurley Witness - Jan Hurley
B. F. Houck Grantor - B. F. Houck
Betty J. Houck Grantor - Betty J. Houck
Doris Higgins Witness - Doris Higgins
Brenda C. Shively Trustee - Brenda C. Shively
William L. Comer Trustee - William L. Comer

STATE OF Ohio

COUNTY OF Lawrence

On this 11 day of December, 1984, before me, a Notary Public in and for said State, personally appeared Brenda C. Shively, William L. Comer, B. F. Houck, and Betty J. Houck, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

My Commission expires 3/30/89

Doris Higgins
Notary Public

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III - PUBLIC NOTICE OF APPOINTMENT OF TRUSTEE

Date 12-11-84

WE, the undersigned, Trustees of the Ben Houck Estates (a TRUST) executed on the 10 day of December, 1984, of which the MEMORANDUM NOTICE OF EXECUTION OF TRUST AGREEMENT is recorded in the Office of the Clerk and Recorder of the Deed Records of the County of Lawrence, State of Ohio, in Book/Volume/Liber Miss 10, page 639, do hereby give notice that, effective the 11 day of December 11, 1984, Buford F. Houck was nominated, appointed, and elected to the office of TRUSTEE of this TRUST, and that said persons signature contained herein evidences the acceptance of said appointment. As of this date, the current Trustees of this TRUST are Brenda C. Shively, and William L. Comer, Brent D. Houck and Buford F. Houck.

IN WITNESS WHEREOF the Trustees of this TRUST have set their hands and seals at the City of Ironton, State of Ohio, on this 11 day of December, 1984.

Jan Hunley
Witness - Jan Hunley

Doris Higgins
Witness - Doris Higgins

Brenda C. Shively
Trustee - Brenda C. Shively
William L. Comer
Trustee - William L. Comer
Brent D. Houck
Trustee - Brent D. Houck

STATE OF OhioCOUNTY OF Lawrence

On this 11 day of December, 1984, before me, the undersigned, a Notary Public in and for said State, personally appeared Brenda C. Shively, William L. Comer and Brent D. Houck

known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal

My commission expires 3/30/89

PREPARED BY: _____

Address _____

City _____ State _____

Doris Higgins
Notary Public - 11
20378
STATE OF OHIO, LAWRENCE COUNTY
Presented for Record at 3:17 P.M.

DEC 11 1984

Recorded Dec 12 1984
in Miss 10 Page 641
RAY T. DUTEY
RECORDER, LAWRENCE COUNTY, OHIO
10:20

VOL. 010 PAGE 642

I - APPOINTMENT OF TRUSTEE

Date 12-11-84

We, Brenda C. Shively and William L. Comer, the Trustees of the Ben Houck Estates (a TRUST), and, pursuant to the power and authority therein contained, do hereby nominate, appoint and elect Buford F. Houck to be a TRUSTEE of this TRUST, vested with ALL the powers, authority and duties granted to and imposed upon the Trustees therein named and during the period thereof, said service to become effective immediately.

Brenda C. Shively
Trustee Brenda C. Shively
William L. Comer
Trustee William L. Comer

II - ACCEPTANCE OF APPOINTMENT TO BE A TRUSTEE

Date 12-11-84

I, the undersigned, do hereby accept the appointment to the position of TRUSTEE of the Ben Houck Estates (a TRUST), created the 10 day of December, 1984, upon the terms and conditions hereinabove stated and contained in the Declaration of Trust of said TRUST, and my signature herein evidences my acceptance of the duties, obligations, responsibilities, and faithful performance of said TRUST.

Jan Hunley
Witness - Jan Hunley

Doris Higgins
Witness - Doris Higgins

STATE OF OhioCOUNTY OF Lawrence

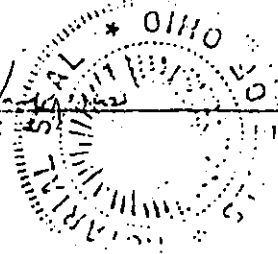
Buford F. Houck
Signature - Buford F. Houck

On this 11 day of December, 1984, before me, the undersigned, a Notary Public in and for said State, personally appeared Buford F. Houck, known to me to be the person whose name is subscribed to the within instrument and who acknowledged that he executed the same.

WITNESS my hand and official seal

My commission expires 3/30/89
PREPARED BY: Brenda C. Shively
ADDRESS: 1739 Kevin Street
CITY: Ironton STATE: Ohio

Doris Higgins
Notary Public



VOL 010 PAGE 643

I - APPOINTMENT OF TRUSTEE

Date 12-11-84

We, Brenda C. Shively and William L. Comer, the Trustees of the Ben Houck Estates (a TRUST), and, pursuant to the power and authority therein contained, do hereby nominate, appoint and elect Brent D. Houck to be a TRUSTEE of this TRUST, vested with ALL the powers, authority and duties granted to and imposed upon the Trustees therein named and during the period thereof, said service to become effective immediately.

Brenda C. Shively
Trustee Brenda C. Shively
William L. Comer
Trustee William L. Comer

II - ACCEPTANCE OF APPOINTMENT TO BE A TRUSTEE

Date 12-11-84

I, the undersigned, do hereby accept the appointment to the position of TRUSTEE of the Ben Houck Estates (a TRUST) created the 10 day of December, 1984, upon the terms and conditions hereinabove stated and contained in the Declaration of Trust of said TRUST, and my signature herein evidences my acceptance of the duties, obligations, responsibilities, and faithful performance of said TRUST.

Jan Hurley
Witness - Jan Hurley

Brent D. Houck
Signature - Brent D. Houck

Doris Higgins
Witness - Doris Higgins

STATE OF OhioCOUNTY OF Lawrence

On this 11 day of December, 1984, before me, the undersigned, a Notary Public in and for said State, personally appeared Brent D. Houck, known to me to be the person whose name is subscribed to the within instrument and who acknowledged that he executed the same.

WITNESS my hand and official seal

My commission expires 3/30/89
PREPARED BY: Brenda C. Shively
ADDRESS: 1739 Kevin Street
CITY: Ironton STATE: Ohio

Doris Higgins
Notary Public -

VOL 010 PAGE 644

III - PUBLIC NOTICE OF APPOINTMENT OF TRUSTEE

Date 12-11-84

WE, the undersigned, Trustees of the Ben Houck Estates (a TRUST) executed on the 10 day of December, 1984, of which the MEMORANDUM NOTICE OF EXECUTION OF TRUST AGREEMENT is recorded in the Office of the Clerk and Recorder of the Deed Records of the County of Lawrence, State of Ohio, in Book/Volume/Liber Miss 10, page 639, do hereby give notice that, effective the 11 day of December, 1984, Brent D. Houck was nominated, appointed, and elected to the office of TRUSTEE of this TRUST, and that said persons signature contained herein evidences the acceptance of said appointment. As of this date, the current Trustees of this TRUST are Brenda C. Shively and William L. Comer and Brent D. Houck.

IN WITNESS WHEREOF the Trustees of this TRUST have set their hands and seals at the City of Ironton, State of Ohio, on this 11 day of Dec., 1984.

Jan Hunley
Witness - Jan Hunley

Doris Higgins
Witness - Doris Higgins

Brenda C. Shively
Trustee - Brenda C. Shively

William L. Comer
Trustee - William L. Comer

Trustee -

STATE OF OhioCOUNTY OF Lawrence

On this 11 day of December, 1984, before me, the undersigned, a Notary Public in and for said State, personally appeared Brenda C. Shively and William L. Comer,

known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal

My commission expires 3/30/89

PREPARED BY: _____

Address _____

City _____ State _____

Doris Higgins
Notary Public -

#20379

STATE OF OHIO, LAWRENCE COUNTY

Presented for Record at 3:18 P M

DEC 11 1984

Recorded Dec 12 - 84
in Miss 10 Page 643

- AT RECORDER, LAWRENCE COUNTY, OHIO

10-11